

R 5-19-2 Open Governmental Meetings Requirements

A June 7, 2001 opinion issued by the West Virginia Ethics Commission has declared that the Faculty Senate is a public agency and is subject to the provisions of the Open Meetings Act when it is exercising executive or legislative power in taking official public action on behalf of the school. Instances where the Faculty Senate would be exercising executive power include the following:

- ❖ Creating and adopting a budget;
- ❖ Allocating funds received through a grant;
- ❖ Authorizing the expenditure of funds for academic supplies, materials and equipment (this would not apply to the \$50 per person which is allocated for expenditure by individual educators; and
- ❖ Adopting specific policies such as the plans for integrating special needs students in the regular classroom.

Each Faculty Senate must adopt a policy for giving notice to the public, which includes the date, time, place and agenda of all meetings that deal with the above issues. Such notice shall be given two days prior to the meeting and shall be made available to the public through the news media and postings at the school site.

Each Faculty Senate must also provide for the preparation of written minutes of all of its meetings, which shall be available to the public within a reasonable time after each meeting and shall include at least the following information:

- ❖ The date, time and place of the meeting;
- ❖ The name of each member of the governing body present and absent;
- ❖ All motions, proposals, resolutions, orders, ordinances and measures proposed, the name of the person proposing the same and their disposition; and
- ❖ The results of all votes.